

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

CAINE WILLE,

Plaintiff,

v.

Case No. 14-C-0317

WILLIAM POLLARD, et al.,

Defendants.

ORDER

Plaintiff filed a complaint under 42 U.S.C. § 1983, alleging that his release date from prison has been miscalculated. Recently, plaintiff asked that the complaint be converted to a petition for a writ of habeas corpus under 28 U.S.C. § 2254. Since that time, however, plaintiff has filed a separate action for habeas relief based on the same events described in his complaint. See E.D. Wis. Case No. 14-C-482. Thus, his request to convert the present action to a habeas case is moot. The present action will be dismissed without prejudice, and the habeas case will proceed.

Accordingly, **IT IS ORDERED** that this action is **DISMISSED WITHOUT PREJUDICE**.

Dated at Milwaukee, Wisconsin this 24th day of May, 2014.

s/ Lynn Adelman

LYNN ADELMAN
District Judge